

CONNECTICUT Land Conservation Council

Testimony regarding
Raised HB 5550

To the Government Administration and Elections Committee
Submitted by: Amy Blaymore Paterson, Esq., Executive Director
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Co-Chairs Musto, Jutila and Members of the Government Administration and Elections Committee: Please accept this testimony on behalf of the Connecticut Land Conservation Council (CLCC) regarding **Raised HB 5550, An Act Concerning the Conveyance of Certain Parcels of State Land.**

CLCC works with land trusts (now numbering over 137), other conservation and advocacy organizations, government entities and landowners to increase the pace, quality, scale and permanency of land conservation in Connecticut while assuring the perpetual, high quality stewardship of conserved lands in the state. Consistent with our mission, a priority of CLCC's 2014 Agenda is working to ensure that there is a process to fully inform the public and provide an opportunity for public input before state conservation lands are exchanged, sold or otherwise conveyed pursuant to The Conveyance Act (the Act). To that end, we respectfully urge the Committee to consider the following changes and other comments with respect to the Conveyance Act process in general and Raised Bill 5550 in particular:

1. Lands under the custody and control of the Department of Energy and Environmental Protection or the Department of Agriculture should not be conveyed pursuant to the Act unless first heard in a public hearing before the Environment Committee. As the committee of cognizance over these agencies, the Environment Committee is in the best position to ask for information and receive public input with respect to the natural resources on the subject properties, including water, wildlife, prime and important soils, and other values, and how the proposed transfer may impact those values. We contend that this information should be provided before the lands are transferred.
2. The Act itself should include a more detailed level of information, including a description of the natural resources on the lands and more specificity about the proposed use of the property (e.g. a definition of what is meant by "economic development" or "municipal purposes").
3. If the proposed use of the property is for conservation or preservation purposes, an express requirement that the deed of transfer contain a conservation restriction expressly providing for that purpose or that a conservation easement be granted to a third party. Accordingly, CLCC is supportive of Section 11 of the Act which provides that a conservation easement be granted to a nonprofit organization for the purpose of preserving for conservation the reservoirs and their watersheds located on the land.
4. CLCC is very concerned about the practice enabled by the Act of cancelling, modifying or otherwise disregarding restrictions set forth in the deed of the land subject to conveyance, as provided for in Section 8(b). The state's failure to abide by terms and purposes of the deed may constitute a violation of the public trust and a serious breach of faith with the original landowner.

Thank you for your consideration and for this opportunity to provide our comments.

